Docket No.: 47440-027

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Daniel BARICH, et al.

Serial No.: 09/672,793

Group Art Unit: 2856

Filed: September 29, 2000

Examiner: Garber, Charles D.

For:

METHOD AND ARRANGEMENT FOR INSPECTION AND REQUALIFICATION OF

VEHICLES USED FOR TRANSPORTING COMMODITIES AND/OR HAZARDOUS

MATERIALS

INFORMATION DISCLOSURE STATEMENT

Mail Stop Fee Amendment Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Dear Sir:

In accordance with the provisions of 37 C.F.R. 1.56, 1.97 and 1.98, the attention of the Patent and Trademark Office is hereby directed to the documents listed on the attached form PTO-1449. It is respectfully requested that the documents be expressly considered during the prosecution of this application, and that the documents be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

This Information Disclosure Statement is being filed more than three months after the U.S. filing date AND after the mailing date of the first Office Action on the merits, but before the mailing date of a Final Rejection or Notice of Allowance.

09/672,793

In accordance with 37 CFR 1.17(p), please charge the fee of \$180.00 to Deposit Account No. 500417.

The submission of the listed documents is not intended as an admission that any such document constitutes prior art against any of the claims of the patent. Applicant does not waive the right to antedate or otherwise remove any listed document as a competent reference against the claims of the present patent.

Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 500417 and please credit any excess fees to such deposit account.

Respectfully submitted,

MCDERMOTT, WILL & EMERY

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Date: July 7, 2003

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| | | | | Daniel BARICH, et al. | | | | | | |
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| EXAMINER'S | | | | NAME | CLASS | SUBCLASS | FIL | ING DATE | | |
| INITIALS | PATENT NO. | 5/20/97 | Bird et al. | NAME | | | | | | |
| | 5631831 | | Cherrington | ot ol | | - | | | | |
| | 5717595 | 2/10/98 | l | et al. | | | | | | |
| | 5964811 | 10/12/99 | Ishii et al | | <u> </u> | | | * | | |
| | 6052631 | 4/18/00 | Busch et al. | | | | | | | |
| | 6070111 | 5/30/00 | Takakura et | al | | <u> </u> | | <u> </u> | | |
| | 6101433 | 8/8/00 | | Flicker, Jr. | | | | | | |
| | 4247757 | 1/27/81 | Crump, Jr. | Crump, Jr. | | | | | | |
| | 5008661 | 4/16/91 | Raj | Raj | | | | | | |
| | 5956077 | 9/21/99 | Qureshi et al. | | | , | | | | |
| | 5256966 | 10/26/93 | Edwards | | | | | | | |
| | | FO | REIGN PAT | ENT DOCUM | ENTS | | , , , , | , , | | |
| EXAMINER'S | * | DATE | T | OUNTRY CLASS | | S SUBCLASS | Translation | | | |
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| <u> </u> | International | Search Repo | rt dated Janu | ary 8, 2001 corr | esponding | to related co | -pendi | ng | | |
| ř | international a | application | | | | · | | | | |
| | International | Search Repo | ort dated Janu | ary 29, 2001 co | rrespondin | g to co-pendi | ng inte | ernational | | |
| • | application relating to U.S. Application No. 09/676,752. | | | | | | | | | |
| | Appendix B to DOT-E 12095 "Alternative Tank Car Qualification Program", pp. 1-12 | | | | | | | | | |
| | Appendix R, AAR Manual of Standards and Recommended Practices, Specifications for Tank | | | | | | | | | |
| | Cars, pp. 319-331 | | | | | | | | | |
| | AAR Memo dated 4/15/99, Casualty Prevention Circular, "New Requirements for Inspections | | | | | | | | | |
| of Stub Sills on Tank Cars", CPC-1094 | | | | | | | | | | |
| AAR Memo dated 11/15/99, Casualty Prevention Circular, "Inspections of Stub Sills on Tank | | | | | | | | | | |
| | Cars-Availability of SILSPEC3 Software and Correction to Form SS-3", CPC-1100 | | | | | | | | | |
| | AAR Memo dated 8/10/94, O&M Circular No. 1, Supplement No. 2, "Tank Car Stub Sill Inspection Program", CPC-1030 | | | | | | | | | |
| | 1 - | ogram", CP | C-1030 | DATE CONTE | DEDE T | | | | | |
| EXAMINE | R | | | DATE CONSIDERED | | | | | | |
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| | (PTO- | 1449) | FILING DATE Septembe 2000 | GROUP 2856 | | | | | |
| | | Ţ | J.S. PATEN | T DOCUMEN | TS | | | | |
| EXAMINER'S INITIALS | EXAMINER'S | | | | CLASS | SUBCLASS | FIL | ING DATE | |
| | 5036707 | 8/6/91 | Paciej et al. | | | | | | |
| - | 4368644 | 1/18/83 | Wentzell et | al. | | | | | |
| | 4658649 | 4/21/87 | Brook | | | | | | |
| - | 5648619 | 7/15/97 | Gustafsson | et al. | | | | | |
| | 4490833 | 12/25/84 | Inomata et | al. | | | | | |
| | 5619423 | 4/8/97 | Scrantz | | | | | | |
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| .3 7 | .,. | FOI | REIGN PAT | ENT DOCUM | IENTS | | | Translation | |
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| 8 2 | AAR Memo of Inspection Pro | dated 6/10/9 | 5, O&M Circ | cular No. 1, Sur | oplement No | . 3, "Tank C | ar Stub | Sill Sill | |
| | AAR Memo | dated 10/18/ | 96, Casualty | Prevention Cir | cular, "Tank | Cars Manuf | acture | d to the | |
| | RIC-RIC Stu | b Sill Design | ı", CPC-1070 |) | | | | | |
| | | | | revention Circ | ular, "Tank | Cars Manufa | ctured | to the RIC- | |
| | RIC Stub Sill Design", CPC-1072 | | | | | | | | |
| | AAR Memo dated 6/6/97, Casualty Prevention Circular, "Requirements for Tank Car Owners to Perform Stub Sill Damage Tolerance Analyses, CPC-1082 | | | | | | | | |
| | EO-17, FRA | Order No. 1 | 7, Notices 1 | and 2, "Owners | of Railroad | Tank Cars" | | | |
| | AAR Memo | dated 7/17/9 | 2, O&M Circ | cular No. 1, "Ta | ank Car Stub | Sill Inspecti | on Pro | gram" | |
| EXAMINE | | | DATE CONSIDERED | | | | | | |
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| INFO | RMATION I CITATION APPLICA | IN AN | ATTY. DOCKET NO. 47440-027 | | SERIAL NO. 09/672,793 | | | | | |
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| | 49 Code of Fed | | | | | | | (A) | | |
| | | | | | | | | | | |
| Rule 88 - Interchange of Freight Cars, "Mechanical Requirements For Acceptance", pp. 518-532 | | | | | | | | | | |
| • | AAR Memo dated 9/7/99, Casualty Prevention Circular, "New Requirements for Inspections of Stub Sills on Tank Cars", CPC-1097 | | | | | | | | | |
| Co-Pending U.S. Application Serial No. 09/676,752 (Ref. No. 47440-013 at top left comer of first page of application) | | | | | | | | | | |
| Co-Pending U.S. Application Serial No. 09/672,099 (Ref. No. 47440-016 at top left corner of first page of application) | | | | | | | | | | |
| Paper No. 6 (Office Action dated 10/24/01) in Co-Pending U.S. Application Serial No. 09/672,099 | | | | | | | | | | |
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| | | | | APPLICANT Daniel BARICH, et al. | | | | | |
| | (PTO-1 | 449) | | FILING DATE September 2000 | 29, | GROUP 2856 | | | |
| e Stewney | , , | υ. | S. PATEN | r documen | rs | | | | |
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| | in Co-Per | iding U.S. Aj | pplication S | erial No. 09/672 | 2,099 | | dated 10/24/01) | | |
| , | April 26, 2002 Supplemental Amendment responsive to Paper No. 6 (Office Action dated 10/24/01) in Co-Pending U.S. Application Serial No. 09/672,099 | | | | | | | | |
| | Paper No. 13 (Office Action dated 9/4/02) in Co-Pending U.S. Application Serial No. | | | | | | | | |
| | 09/672,099 February 4, 2003 Response Under 37 CFR 1.116 to Paper No. 13 (Office Action dated | | | | | | | | |
| · | 9/4/02) in Co-Pending U.S. Application Serial No. 09/672,099 | | | | | | | | |
| | Paper No. 17 (Notice of Allowance dated 2/24/03) in Co-Pending U.S. Application Serial No. 09/672,099 | | | | | | | | |
| | 49 Code | of Federal Re | gulations, S | Subpart F Section | ns 180.509 | -180.511 (O | ct. 1, 1999 Ed.) | | |
| EXAMINER | | | | | | | | | |
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